



**Department of Law**  
*Monroe County, New York*

**Adam J. Bello**  
*County Executive*

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Thursday, June 26, 2025

**VIA ECF**

Hon. Mark Pedersen  
United States Magistrate Judge  
Kenneth B. Keating Federal Building  
100 State Street Rochester, New York 14614

Re: *Amanda Flannery v. City of Rochester et al.*, 22-cv-6101 (FPG)(MJP)  
*Boehner et al. v. City of Rochester et al.*, 21-cv-6574 (FPG)(MJP)  
*Armstrong v. City of Rochester et al.*, 21-cv-6717 (FPG)(MJP)  
*Kaitlin Flannery v. City of Rochester et al.*, 22-cv-6062 (FPG)(MJP)  
*Grayson v. City of Rochester et al.*, 21-cv-6719 (FPG)(MJP)  
*Hilderbrant v. City of Rochester et al.*, 21-cv-6714 (FPG)(MJP)  
*Hushla v City of Rochester et al.*, 22-cv-6039 (FPG)(MJP)  
*Johnson v City of Rochester, et al.*, 24-cv-6081 (FPG)(MJP)  
*Lynch v. v. City of Rochester et al.*, 21-cv-6708 (FPG)(MJP)  
*Maring v. City of Rochester et al.*, 21-cv-6720 (FPG)(MJP)  
*Painting v. City of Rochester et al.*, 22-cv-6179 (FPG)(MJP)  
*Pigott v. City of Rochester et al.*, 22-cv-6180 (FPG)(MJP)  
*Rogers v. City of Rochester et al.*, 22-cv-6583 (FPG)(MJP)  
*Sorokti v. City of Rochester et al.*, 21-cv-6709 (FPG)(MJP)  
*Staab v. City of Rochester et al.*, 22-cv-6063 (FPG)(MJP)  
*Woodward v. City of Rochester et al.*, 21-cv-6685 (FPG)(MJP)

Dear Judge Pedersen:

The County Joins in the Plaintiffs' request for a discovery conference in the above cases,<sup>1</sup> and joins in the City Defendants' request that the conference be scheduled after July 2, 2025. At this conference the County Defendants would like to request leave bring a motion to have all of the County's FRCP Rule 36 requests for admission (RFAs) deemed admitted, and to compel the Plaintiffs to respond

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<sup>1</sup> Please note that Defendants' list of cases differs from Plaintiffs' list (*see* ECF 104-2 in *A. Flannery*, 22-cv-6101) in that Defendants' list includes *Hilderbrant*, 21-cv-6714, for which RFAs were served, and does not include *Adamides et al.*, 24-cv-6107, for which they were not. Please note also that while most of the RFAs in the above cases were served on September 20, 2024, those in *Johnson*, 24-cv-6081, and *Woodward*, 21-cv-6685.

to the County's related document requests.

It is the County Defendants' position that the demands were proper, and that before any discussion of the propriety of the demands takes place, it should first be addressed that, as argued in the letter filed by Mr. Shields earlier today, and in his letter request to make a motion earlier this week, by the time Plaintiff's objections were filed "any objections ha[d] long since been waived." *See* ECF 104, 101. And as explained in the County's deficiency letter, under Rule 36:

A matter is admitted unless, within 30 days after being served, the party to whom the request is directed serves on the requesting party a written answer or objection addressed to the matter and signed by the party

FRCP 36. As I carefully laid out to the Plaintiffs' Attorney in the attached emails this morning there clearly was not a stay of discovery in effect during the time that Plaintiff's responses were due.

Thank you for your attention in this matter.

Respectfully,

*/s/ Adam M. Clark*

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cc: All counsel of record, *by ECF*